

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLIFFORD ANTHONY SCHOENING
#496405,

Plaintiff, Case No. 1:23-cv-860
v. HONORABLE PAUL L. MALONEY
RACHEL MOLLOY, et al.,
Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendant Rachel Molloy filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on June 26, 2024, recommending that this Court grant the motion and enter judgment¹. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 20) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for Summary Judgment (ECF No. 16) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's remaining claims against Defendant Molloy are DISMISSED WITHOUT PREJUDICE.

¹ The co-defendants in this lawsuit were dismissed by prior order of the court on October 16, 2023 (ECF No. 12).

IT IS FURTHER ORDERED that for the same reasons the Court concludes that Plaintiff's claims are properly dismissed, the Court also concludes that any issue Plaintiff might raise on appeal would be frivolous. *Coppedge v. United States*, 369 U.S. 438, 445 (1962). Accordingly, the Court certifies that an appeal would not be taken in good faith.

A Judgment will be entered consistent with this Order.

Dated: July 29, 2024

/s/ Paul L. Maloney

Paul L. Maloney

United States District Judge